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REMARKS

Claims 1-4 and 7-19 are in the case. Claims 1-2, 4, 7, 11-17, and 19 are rejected under 35 USC § 102 over USPN 4,237,601 to Woolhouse et al. Claims 3, 8-10, and 18 are rejected under 35 USC § 103 over Woolhouse et al. The rejections are respectfully traversed. Reconsideration and allowance of the claims are respectfully requested.

CLAIM REJECTIONS UNDER §102

Claims 1-2, 4, 7, 11-17, and 19 are rejected under 35 USC § 102 over Woolhouse et al. Independent claim 1 as amended claims, *inter alia*, forming a feature *by laser ablation*, where the feature has an upper sidewall portion with an upper sidewall angle, and a lower sidewall portion with a lower sidewall angle, where the upper sidewall angle is shallower than the lower sidewall angle. Woolhouse et al. do not describe such a process. However, the office action of 2003.08.26 states that "the upper sidewall portion and the lower sidewall portion [of Woolhouse et al.] are formed by laser ablation of the substrate," and cites column 1, lines 25-30 and figure 2b of Woolhouse et al. in support of this statement.

The citation from Woolhouse et al. reads as: "The wafer is then cut into two mutually orthogonal directions to form the individual diodes. First, the wafer is cut perpendicular to the intended lasing facets into bars of diodes, then the bars of diodes, following passivation of lasing facets, are cut into individual diodes." The portions of this citation apparently referenced in support of the statement are presumably the two instances of the phrase "lasing facets." This phrase is apparently interpreted by the examiner as a statement of the method by which the wafer is cut. However, this is incorrect.

Woolhouse et al. describe the fabrication of laser diodes. The lasing facets are functional elements of the laser diode devices being formed, and thus do not refer to the method by which the cuts are made. Woolhouse et al. describe the methods by which the cuts are made in the sentence immediately following the portion of the specification cited by the examiner, which reads "Cutting of the wafer into bars is generally accomplished

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by cleaving the wafer through the substrate side, using an instrument such as a *razor blade, knife, scalpel blade or the like*" (emphasis added).

Fig. 2b is also cited in support of the notion that Woolhouse et al. use laser ablation to singulated or otherwise fabricate the devices. However, Woolhouse et al. describe figure 2b by stating that the "grooves are then *etched* into the bottoms of the channels *with an anisotropic etchant* that forms V-grooves 22, *as shown in cross-section in FIG. 2b*" (column 4, lines 39-41, emphasis added). A great deal of detail as to the specifics of the chemical etch are then provided. Absolutely no description of laser ablation of the wafer is given.

Thus, it is clear that Woolhouse et al. do not describe laser ablation of the wafer.

Therefore, claim 1 patentably defines over Woolhouse et al. Reconsideration and allowance of claim 1 are respectfully requested. Dependent claims 2, 4, 7, and 11-13 depend from independent claim 1, and contain additional important aspects of the invention. Therefore, dependent claims 2, 4, 7, and 11-13 patentably define over Woolhouse et al. Reconsideration and allowance of dependent claims 2, 4, 7, and 11-13 are respectfully requested.

Similar to that as described above in regard to claim 1, independent claim 14 as amended claims, *inter alia*, forming indicia elements by laser ablation, where the indicia elements have an upper sidewall portion with an upper sidewall angle, and a lower sidewall portion with a lower sidewall angle, where the upper sidewall angle is shallower than the lower sidewall angle. As detailed above, Woolhouse et al. do not describe such a process.

Thus, claim 14 patentably defines over Woolhouse et al. Reconsideration and allowance of claim 14 are respectfully requested. Dependent claims 15-17 and 19 depend from independent claim 14, and contain additional important aspects of the invention. Therefore, dependent claims 15-17 and 19 patentably define over Woolhouse et al. Reconsideration and allowance of dependent claims 15-17 and 19 are respectfully requested.

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CLAIM REJECTIONS UNDER §103

Claims 3, 8-10, and 18 are rejected under 35 USC § 103 over Woolhouse et al. Dependant claims 3 and 8-10 depend from independent claim 1, and therefore claim *inter alia*, forming a feature by laser ablation, where the feature has an upper sidewall portion with an upper sidewall angle, and a lower sidewall portion with a lower sidewall angle, where the upper sidewall angle is shallower than the lower sidewall angle. As detailed above, Woolhouse et al. neither describes such a process, nor makes such a process obvious. Therefore, dependent claims 3 and 8-10 patentably define over Woolhouse et al. Reconsideration and allowance of dependent claims 3 and 8-10 are respectfully requested.

Similar to that as described above, dependant claim 18 depends from independent claim 14, and therefore claims *inter alia*, forming indicia elements by laser ablation, where the indicia elements have an upper sidewall portion with an upper sidewall angle, and a lower sidewall portion with a lower sidewall angle, where the upper sidewall angle is shallower than the lower sidewall angle. As detailed above, Woolhouse et al. do not describe such a process. Therefore, dependent claim 18 patentably defines over Woolhouse et al. Reconsideration and allowance of dependent claim 18 are respectfully requested.

CONCLUSION

Applicants assert that the claims of the present application patentably define over the prior art made of record and not relied upon for the same reasons as given above. Applicants respectfully submit that a full and complete response to the office action is provided herein, and that the application is now fully in condition for allowance. Action in accordance therewith is respectfully requested.

In the event this response is not timely filed, applicants hereby petition for the appropriate extension of time and request that the fee for the extension be charged to deposit account 12-2355. If other fees are required by this amendment, such as fees for additional claims, such fees may be charged to deposit account 12-2252. Should the

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examiner require further clarification of the invention, it is requested that he contact the undersigned before issuing the next office action.

Sincerely,

LUEDEKA, NEELY & GRAHAM, P.C.

By: 

Rick Barnes, 39,596

2003.10.22

P.O. Box 1871
Knoxville TN 37901
T:1.865.546.4305
F:1.865.934.0444
RBarnes@LNG-Patent.com

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